

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/204,866	
	Filing Date	3 Dec. 1998	
	First Named Inventor	John Johnson, Gary E.	
	Art Unit	3732	
	Examiner Name	John J. Wilson	
Total Number of Pages in This Submission	18	Attorney Docket Number	PA 1615

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition (15 Pages) + 2 <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	JOHN E. HALAMKA	
Signature	John E. Halamka	
Date	24 March 2003	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 24 March 03		
Typed or printed	JOHN E. HALAMKA	
Signature	John E. Halamka	Date 24 March 03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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UNITED STATES POSTAL SERVICE EXPRESS MAIL FILING

Express No. EU232993904USUS

Identification no. Serial NO. 09/204,866 Docket PA1615

The commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0207. A duplicate copy of this sheet is enclosed.

[ XX ] As this Petition to REVIVE an Inadvertently Abandoned patent application is filed within the two month statutory period, applicant's attorney believes that no additional fees are due for an extension as no extension beyond the two months is allowed. However, applicant's attorney authorizes any fees found to be due in addition to the Petition Fee believed to be in the sum of \$650.00 for a small entity to be charged to Deposit Account 08-0207.

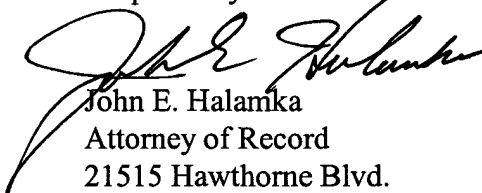
( XX ) If the Commissioner determines that a terminal disclaimer is required, Applicant's Attorney further authorizes the payment of any fee which is believed to be \$55 for a small entity for this terminal disclaimer to be charged to Deposit Account 08-0207.

( XX ) The extension fee of 3 months to file the response to the FINAL action may not have been charged to Applicant's attorney's deposit account and the extension fee may have to be charged for the additional 2 months for this Petition to enter the response making the charge for a fifth month of \$985. If so, attorney authorizes the charge found to be charged to Deposit Account 08-0207.

[ XX ] Any additional fees under 37 CFR.

[ XX ] Any processing fees under 37 CFR.

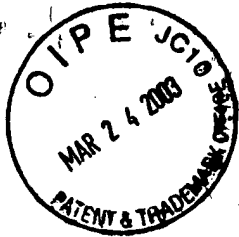
Respectfully submitted,



John E. Halamka  
Attorney of Record  
21515 Hawthorne Blvd.  
Suite 590  
Torrance, CA 90503  
310-316-6100

C3/28/2003 AWONDAF1 00000027 080207 09204866

02 FC:2255 985.00 CH



03-26-03

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

*DAC*

**RECEIVED**

MAR 28 2003

**OFFICE OF PETITIONS**

Docket No.: PA1615

Express Mail No.: EU232993904US

In re Patent of  
JOHNSON, GARY

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as EXPRESS Mail Service  
to addressee service under 37 CFR 1.10,  
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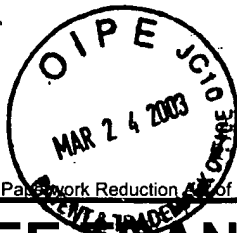
Assistant Commissioner for Patents  
Washington DC 20231  
on 24 March 2003

For: PETITION TO REVIVE FROM NOTICE OF ABANDONMENT DATED 1/24/03

JOHN E. HALAMKA

Dated: 24 March 2003

Palos Verdes Estates, Los Angeles County  
California



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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 1690

## Complete if Known

Application Number 09/204,866  
Filing Date 3 DEC. 1 '998  
First Named Inventor JOHNSON, GARY E.  
Examiner Name JOHN J. WILSON  
Art Unit 3732  
Attorney Docket No. PA1615

WILSON

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

08-0207  
LAW OFFICE OF JOHN E. HALAMKA

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent					<input type="text"/>	<input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	985
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	55
1453	1,300	2453	650	Petition to revive - unintentional	650
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) TERMINAL DISCLOSURE

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1690

## SUBMITTED BY

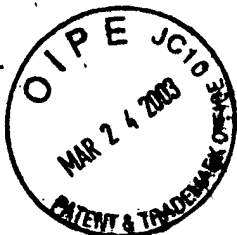
(Complete if applicable)

Name (Print/Type) HALAMKA, JOHN E Registration No. (Attorney/Agent) 30177 Telephone 310-316-6100  
Signature John E. Halamka Date 3/29/03

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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#16

PTO/SB/64 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

PA1615

First named inventor: JOHNSON, GARY E

Application No.: 09/204,866

Art Unit: 3732

Filed: 3 DEC 1998

Examiner: JOHN J. WILSON

Title: POWERED CUTTING SURFACE WITH PROTECTIVE GUARD  
FOR EQUINE TEETH

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

RECEIVED

MAR 28 2003

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

OFFICE OF PETITIONS

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- ☒ (1) Petition fee;
- ☒ (2) Reply and/or issue fee;
- ☒ (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- ☒ (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 650 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

☒ has been filed previously on 12/22/02  
☐ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

Adjustment date: 05/13/2003 CKHLOK  
03/28/2003 AWONDAF1 00000027 080207 09204866  
02 FC:2255 985.00 CR

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

03/28/2003 AWONDAF1 00000027 080207 09204866

01 FC:2453 650.00 CH

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☒ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 55 for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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24 March 2003  
Date

Telephone  
Number: (\_\_\_\_) \_\_\_\_\_

John E. Halamka  
Signature

JOHN E. HALAMKA  
Typed or printed name

P.O. Box 207  
Address

PALOS VERDES EST. CA 90274

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: CERTIFICATE OF EXPRESS MAILING, TRANSMITTAL FORM

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as ~~first class~~ mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

24 March 2003  
Date

John E. Halamka  
Signature

JOHN E. HALAMKA  
Type or printed name of person signing certificate